UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

IN RE: AMERICAN EXPRESS ANTI-STEERING RULES ANTITRUST LITIGATION

This Document Relates To:

Case No.: 11-cv-00337 (NGG)(RER)

The Kroger Co., et al. v. American Express Travel Related Services Co., Inc., et al.

Master File No.: 11-MD-2221 (NGG)(RER)

PLAINTIFFS' AGREEMENT TO BE BOUND BY PROTECTIVE ORDER

Pursuant to Paragraph 32 of the Protective Order previously entered as docket entry 42 in case number 08-cv-2315 (EDNY), which is now consolidated in this MDL, Plaintiffs The Kroger Co., Safeway Inc., Ahold U.S.A., Inc., Albertson's LLC, Hy-Vee, Inc. and The Great Atlantic and Pacific Tea Company, Inc. hereby submit their agreement to be bound by the previously entered Protective Order.

Respectfully submitted, Dated: April 13, 2011

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